

5. Place the jurat at the left of the page.
6. Add a line for the notary's signature.
7. Word the endorsement according to what the affidavit might be "Affidavit in Opposition" or "Affidavit Mail" or some other subject. If another paper is filed with the affidavit, the endorsement will also include that paper.
8. After approval by the lawyer, have the affiant sign the affidavit.
9. Notarize the original, and make an original for the opposing counsel, and a copy for your files.

See Figure 14.12 for an affidavit in opposition prepared.

MOTIONS OR ASSENTED TO MOTIONS (STIPULATIONS)

14.31. Analysis of a Stipulation

Attorneys for opposing parties frequently make agreements during certain phases of a lawsuit. The agreement might be an agreement between the opposing counsel, such as an extension of the time for filing a pleading, if that is permitted in the jurisdiction without being an agreement that will save time in court, such as an agreement on certain facts.

These agreements between counsel are called stipulations. A stipulation is usually an agreement among the attorneys for a particular action. It could settle a case or one or more issues in a case. It could simply be an agreement between the attorney for the plaintiff and the attorney for a defendant, the other parties to the case not being involved. A particular stipulation.

Simple motions that do not dispose of the case may be granted without a hearing. Most state court rules require that the movant (the party) certify that he or she has sought agreement from the other parties to the motion except one that would dispose of the case. (See Exhibit 1B.)

Exhibit 1B